

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and FACEBOOK,  
INC.,

Defendants.

CIVIL ACTION NO. 1:04-cv-11923  
(DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

MARK ZUCKERBERG and  
FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**PLAINTIFF CONNECTU LLC'S REQUEST TO WITHDRAW  
PLAINTIFF'S MOTION FOR LEAVE TO AMEND THE COMPLAINT**

On March 30, 2006, Plaintiff ConnectU, LLC moved for leave to file an amended Complaint (Docket No. 163). Defendants opposed the motion (Docket No. 167). In light of recent rulings by the Court, facts that have come to light since the motion was filed that affect proposed amendments, and the upcoming hearing to determine whether Mr. Narendra was a Member of ConnectU, LLC on September 2, 2004, ConnectU

hereby requests the Court's permission to withdraw the motion with leave to file a new Motion to Amend the Complaint if and when Defendants' motion to dismiss is denied.

For these reasons, ConnectU respectfully requests that its Motion to Withdraw with leave to refile be GRANTED.

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

I hereby certify that counsel for the parties have conferred regarding the issues presented by this motion and that Defendants' counsel agreed that the meet and confer requirements of Rule 7.1 do not apply to a request to withdraw a motion.

DATED: September 27, 2006

/s/ John F. Hornick  
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Attorneys for Plaintiff and Counterclaim  
Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on September 27, 2006